APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/479,999	01/10/2000	LEE EVEN NAKAMURA	A7631/ST9-97	3788

7590   04/25/2002

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EXAMINER
HUYNH, CONG LAC T

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 04/25/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _14 February 2002_ .

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _7-12 and 27-31_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _7-12 and 27-31_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____ .

DETAILED ACTION

1.   This action is responsive to communications: amendment filed 2/14/02 of

application filed on 01/10/00 which is a continuation of the application 08/892,842 filed

on 7/11/97, now US Pat No. 6,178,433 B1.

2.   Claims 7-12, 27-31 are pending in the case. Claims 7, 11 and 27 are the

independent claims.

3.   The rejections of claims 28-31 under 35 U.S.C. 112 as being hybrid claims have

been withdrawn in view of the amendment.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 7-12, 27-31 remain rejected under 35 U.S.C. 103(a) as being

unpatentable over Brown, *Using Netscape 2, Que Corporation*, pages 8-11, 163, 675-

679, 779.

Notes: Examiner provides more pages of Brown to show the disclosure of the claimed

limitations in response to applicants' arguments.

Regarding independent claim 7, Brown discloses:

■ generating a page of presentation material in response to a request for an

    information, wherein the page is generated based on the first information layout

    and includes the first information and does not contain the second information

    (page 10, figure 1.4, when a user selects NFL from the list of items on the left

    side and, only the information about NFL is displayed on the right side of the

    page; the information of Cyberspace Showdown III or Raiders' Fan Wins

    Contest! are not shown)

Brown does not disclose defining in one file a variable for each information and defining

in one file a presentation layout for each information.

Instead Brown discloses defining a variable for each information (page 678, #2 and #3,

the HREF indicates a link to the associated URLs in the <A> and </A> tag).

It would have been obvious to one of ordinary skill in the art at the time of the invention

was made to have modified Brown to include defining said variable and said

presentation layout to Brown for the following reason. A HTML page is generated by

HTML code file including HTML tags. The fact that an item in the list is displayed on the

right side of the web page in response to a user's selection from the list on the left side

and the HREF with associated URL in the HTML codes of a web page for linking to the

information of the URL suggest that in the program for executing that feature, such a

variable – HREF and associated URL -- is defined for each correspondent information in

order to retrieve that information for displaying with the corresponding presentation

layouts. The variables in HTML tags of a web page, therefore, are defined in one HTML code file.

Regarding claims 8 and 10, which are dependent on claim 7, Brown discloses that said page is World Web page for displaying on the web browser and the request, which is actually a hyperlink, includes a uniform resource locator URL (figure 1.4).

Regarding claim 9, which are dependent on claim 7, Brown discloses that the web browser does not support a hypertext markup language frame tag (figure 1.4).

Regarding independent claim 7, Brown also discloses:

- generating a page of presentation material in response to a request for an information, wherein the page is generated based on the first information layout and includes the first information and does not contain the second information (figure 7.15, in response to a request for an information, which is a link, on the list of people displayed on the left side, and only the resume of the selected person Doug Folsom is displayed on the right side, the resume of Carol Guttery is not shown on the right side)

Brown does not disclose defining in one file a variable for each information and defining in one file a presentation layout for each information.

Instead Brown discloses defining a variable for each information (page 678, #2 and #3, the HREF indicates a link to the associated URLs).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Brown to include defining said variable and said presentation layout to Brown for the following reason. A HTML page is generated by HTML code file including HTML tags. The fact that an item in the list is displayed on the right side of the web page in response to a user's selection from the list on the left side and the HREF with associated URL in the HTML codes of a web page for linking to the information of the URL suggest that in the program for executing that feature, such a variable – HREF and associated URL -- is defined for each information in order to retrieve the corresponding information for displaying with the corresponding presentation layouts. The variables in the HTML tags of a web page, therefore, are defined in one HTML code file.

Regarding claims 8 and 10, which are dependent on claim 7, Brown discloses that said page is World Web page for displaying on the web browser and the request, which is actually a hyperlink, includes a uniform resource locator URL (figure 7.15).

Regarding claim 9, which are dependent on claim 7, Brown discloses that the web browser does not support a hypertext markup language frame tag (page 779, apply NOFRAMES for no frames-capable browsers).

Claims 11-12 are for a system of method claims 7-10, and are rejected under the same rationale.

Claims 27-31 are for a system of method claims 7-10, and are rejected under the same

rationale.

Response to Arguments

6.   Applicant's arguments filed 2/14/02 have been fully considered but they are not

persuasive.

Applicants argue that Brown fails to teach or suggest "generating a page of presentation

material in response to a request for said first information, wherein the page is

generated based on the first presentation layout and includes said first information and

does not contain said second information" as in claim 7 because the presentation of

NFL Teams on the right side of the page is not in response to a user request since the

NFL on the left side is not a hyperlink. Applicants further argue that no information

about Cyberspace Showdown III or Raider's Fan Wins Contest! are shown because a

user hasn't activated either of the corresponding hyperlinks yet, which *would*

conventionally cause a new page to load with the corresponding content.

Examiner disagrees.

It was well known that on a web page where the browser window is divided into

independent sections like a left pane and a right pane, *the items on the left side are*

included in the list of content and are hyperlinks so that if one item is selected, the

corresponding page is displayed on the right side of the page. Therefore,

conventionally the information of Cyberspace Showdown III or the information of

Raider's Fan Wins Contest or NFL teams will be *loaded and* <u>*displayed on the right side*</u>

<u>*of the web page*</u> *(not conventionally loading a new page)* if a user activates on the

Cyberspace Showdown III or Raider's Fan Wins Contest or NFL hyperlinks.

Examiner agrees that the figure 1.4 as seen is how the NFL home page is laid out and

the NFL teams information may not be in response to a user request. However, as

stated above, by convention, when one of the links in the list from the left side is

selected, for example, Cyberspace Showdown III or Raider's Fan Wins Contest, the

information of that link will be displayed on the right side. After that, if a user selects the

NFL link, the NFL teams information will be *displayed on the right side* <u>*again*</u> as seen on

figure 1.4. The display as seen on figure 1.4, therefore, is still in response to a user

request.

Examiner also provides the another page of Brown to show one more case that by

convention when one of the items in the list on the left side is selected, only information

related to the link selected is displayed on the right side of the web page (page 163,

figure 7.15).

Applicants further argue that Brown fails to teach or suggest "defining, in a first portion

of the file, a first variable equal to first information and second variable equal to second

information" and "defining, in a second portion of the file, first and second presentation

layouts, wherein said first presentation layout includes said first variable and said

second presentation layout includes said second variable" since the static figure of a

web page in Brown without examination of the underlying code that represents the web

page content provides no indication of whether a single format is used.

Examiner agrees.

However, though the web page in Brown does not disclose the underlying code of the

web page content, it was well known that any web page is created by the HTML codes

including tags.

The <A> and </A> tag with keyword HREF and the *associated URL* defined in the

HTML codes of a web page is considered as a defined variable since it is a named area

in the memory that stores a string assigned to that variable.

Brown, therefore, does suggest defining variables for displaying the correspondent

information that linked to from the list on the left side. Also, it was obvious that the

variables are defined within a single file since the tags are defined in a HTML code file

of a web page.

Conclusion

7.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Olson-Williams et al. (US Pat No. 6,185,588 B1, 2/6/01, filed 12/31/96).

Nakamura et al. (US Pat No. 6,275,833 B1, 8/14/01, filed 1/10/00, priority 7/11/97).

Pitkow et al. (US Pat No. 6,369,819 B1, 4/29/02, filed 4/17/98).

Balsara et al. (US Pat No. 6,065,012, 5/16/00, filed 2/27/98).

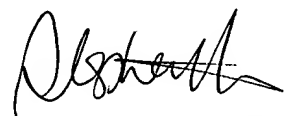Marcos et al. (US Pat No. 6,262,729 B1, 7/17/01, filed 4/14/97).

Lee et al. (US Pat No. 6,061,696, 5/9/00, filed 4/28/97).

8.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is 703-305-0432. The examiner can normally be reached on Mon-Fri (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 703-308-5186. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 707-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9000.

clh
4/19/02

STEPHEN S. HONG
PRIMARY EXAMINER